

**SCPD EMPLOYMENT FIRST  
APRIL 11, 2017  
SMYRNA REST AREA, SMYRNA**

**Present:** Marissa Catalon, Vice-Chair, DDDS; Andrea Guest (phone), DOL/DVR; Pat Maichle, DDC; Dale Matusevich, DOE; Ron Sarg, DCVA; Lloyd Schmitz, Council on Blind/SCPD; Laura Strml, SJCS-DE; Laura Waterland, DLP; and Amber Rivard, Support Staff.

**Guest:** Michele Mirabella, Chimes  
Kendra Johnson, Elwyn

**CALL TO ORDER/Introductions/Approval of Minutes**

Marissa called the meeting to order at 9:33 am. Everyone introduced themselves. No approval of minutes was made.

**ADDITIONS OR DELETIONS TO THE AGENDA**

None

**BUSINESS**

**Application Process for 14c Certificate with DOL-Chimes (Pre-vocational Services)**

Marissa shared an e-mail exchange between Thomas Cook, Executive Director of Ability Network of Delaware (AND) and Dan Madrid. The e-mail discussed the work on Subminimum Wage Analysis for the State. It was shared with members of AND in a meeting and one of their CRPs along with Thomas Cook commented back on the analysis. Michele Mirabella from Chimes along with Kendra Johnson from Elwyn decided to share their knowledge to the Commission on the 14c certificate in Delaware and the activities that occur relating to that certificate.

Michele explained Chimes perspective on the 14c Certificate Application. The 14c Certificate Application from Department of Labor (DOL) was extended in more details on what it does for the applicants. When a job request is submitted, Chimes produces a time study on an able bodied person doing the job and gathers information from three individuals participating in the same job request and are timed. The gathered information is transmitted into the DOL website along with the base rate pay on what each individual is paid (most of them are paid \$13.00 but it can vary). If an individual with a disability continues with the production rate, they will make \$13.00 an hour. The changes that were made for the Application were in regards to the Workforce Innovation and Opportunity Act (WIOA). The documentation stated that the Division of Vocational Rehabilitation (DVR) and individuals under the age of twenty-four that are assisted by DVR will be included in the Application.

Chimes has a GAT system that has inputted all the gathered data into sections. The data collected includes information of an average salary, hourly wage rate, types of jobs and other different

variables. There was an issue in receiving the DOL audit (federal department) until two years ago. Chimes has not been audited for twenty years and should be receiving more of an audit. The U.S. Department of Labor (U.S. DOL) provided recommendations after analyzing the data from the GAT system for Chimes to make the recommended changes. The number from the base rate is reviewed annually, depending on the job status there are times where it is revisited due to miscalculations. The main purpose of the 14c Application in Chimes is to develop this population into a training program that helps them understand the value of employment and the payroll system that is above minimum wage in the community-based work settings. Ninety-nine percent of the people in Chimes cannot work eight hours a day due to being under DDDS, since they are required long-term support. Individuals within Chimes are medically fragile that will not be able to become employed in a community-based setting.

There are issues that students graduating from the school systems are not prepared to work. Whenever Chimes shadows a school, teachers do the majority of the work instead of the student with the severe disabilities doing it themselves. Michele met with Representative Heffernan to discuss the school system operations with additional training and understanding the needs of the employer (i.e., Wawa). There are individuals with behavioral needs that have issues with obtaining and keeping employment and an example of how this is handled. When there are individuals with health concerns, Chimes has medical staff to track what is happening to the specific individuals.

A Committee member inquired about the length of the Chimes programs. Michele stated that it depends on the individual because some of the individuals may not obtain competitive employment. Kendra added that the programs revolve around the individuals that have the capacity for competitive employment, but have other barriers. Then an individual enters the program, Chimes staff asks how they can assist the individual with employment opportunities and preparing them for possible competitive employment. Elwyn has a work-centered supported employment and provides day habilitation services based on what the individual wants to focus on. The programs exist for the individuals that seek competitive employment or individuals that cannot obtain community-based employment can be supported with the skills they do have and what could make them happy. Employers offer assistance to Elwyn for the individuals seeking competitive employment to overcome barriers (i.e., Wawa and AeroMart). Some individuals cannot transfer to competitive employment and would be transferred into a day habilitation program. Some individuals do receive sub-minimum wage based on their production level and still learn the value of a paycheck. About 200 individuals are in each programs in Owens-Chimes (100+ are receiving sub-minimum wage). Elwyn has 128 individuals in service programs on an out-of-date form of the sub-minimum wage packet depending on the type of employment and the individuals themselves. There are sales people that go out and seek opportunities to assist workgroup centers that help individuals increase their productions and skills to support them out in the community. More discussion was made on the sub-minimum wage and individuals that are deemed “able bodied” to do the work tasks required for that job, make more than the above minimum wage.

There was discussion about DOL partnering with Chimes and Elwyn to implement the 511 WIOA to their services with certain procedures to follow. Andrea added that the services would prepare students with pre-employment in the community and obtain necessary skills for their

choice employment. Data was shown stating that fifty students that graduated high school went into sheltered workshops: Throughout the next year, the numbers had decreased. DOL had been assisting with Chimes, Elwyn and KSI to transition students out of the workshops into the community along with implementing the 511 WIOA procedures. DVR would select a group of individuals to transfer to Elwyn for supported employment instead of staying in a sheltered workshop. Successful stories were discussed of individuals that transferred out of workshops into community-based employment. A committee member stated that students should be better trained for skills relating to their choice of employment as well as skills used in everyday life. It has also become a recent issue that high school graduates and students in earlier school levels are not receiving basic life skills. Project SEARCH was discussed as preparing the students with the necessary life and employment skills to expand out into the community and try different jobs. DVR will progress in the future with high school students but are working with middle school-age students and picking appropriate career paths that strike their interest. The main goal for DVR is to have a limit of one work-based experience in the community and chances of success as an adult will increase with sheltered workshop attendances decreasing. Lloyd asked if there is a process in place for individuals that achieve production level (competitive employment) for a lifetime job in the competitive field or are they referred to DVR, or stay in the workplace setting and continue on contract. Kendra stated that each individual has an individualized plan (IEP) that is reviewed annually and quarterly. The staff at Elwyn assists with individualized plans discusses with the individual what they would like to do next. Then it is discussed with the case manager who advocates for that individual.

Discussion was made on the few vocational-technical schools located throughout the state that should be included in special education. A Commission member stated that a minority of the high school students at the vocational-technical schools have a disability. Students have been known to switch majors after they leave high school and go to DVR or a workshop. The Career and Technical Education Director from DOE supports special education students regardless of their disability and should have equal opportunities in vocational-technical programs. DOE has been meeting to discuss development of a model to bring vocational-technical experiences to the individuals in special education. A suggestion was made to browse into what programs are currently being offered in schools and if it is meeting the needs of the students in obtaining employment in the community. The model that was discussed between DOE, parents of students with disabilities and DVI that may become available to each county in the fall of 2017. The pre-employment services offered through DOL and DVR will have a career counselor. They are already providing those services to Smyrna Middle School. More discussion was made on programs that assisted with early learning for middle schoolers (i.e. Early Start and PATHWAYS) and incorporating the 511 WIOA procedures for all the students to obtain competitive employment. More information on the plan may be near the beginning of June 2017. A committee member suggested someone should keep track of the data for adults that do not succeed in competitive employment and return to a facility-based program for further assistance.

Marissa asked for more information on the sub-minimum wage payment to the individuals being assisted by Chimes based on their production level and the 14c Certificate. Michele clarified that not all of the individuals assisted by Chimes are paid sub-minimum wage, and it depends on what job they are doing with what company. She added that the individuals that are not being paid sub-minimum wage are paid the exact same amount just like others. There have been

concerns with individuals and worried parents that do not want their child to have employment out in the community due to bad experiences. There have recently been team meetings between parents and Chimes staff to try to encourage the parents to encouraging their child to obtain competitive employment if they choose. Discussion was made about encouraging individuals to obtain a competitive employment and the barriers in employment to those with a disability.

Kendra had met with Marissa to discuss expanding day habilitation due to an individual at a work center that did not want to work. That this led to the discussion of expanding the day habilitation program around the individuals who do not want employment but visit their friends. Over a year prior, Elwyn had begun their Journeys program for individuals who would like to try something new. After the individuals received career counseling, a determination is made where they are placed (i.e. work center or competitive employment or staying in the Journeys program). Elwyn has been educating individuals and their families about CMS and what it means. Elwyn is all about offering choices for the individuals and their families. Chimes has a Cares Program that is statewide and has individuals that are the aged-based population that no longer have an interest in working, but are still active. There has been an increase in more individuals with disabilities applying for employment. Elwyn also has a Seniors Reflection Program for individuals who are part of the aging population. Lloyd suggested that Chimes and Elwyn contact DART for individuals in non-profit organizations to lessen the barriers of transportation.

Andrea stated that the Commission should focus on schools and review the 511 WIOA in sheltered facilities (DVR) before any other programs (i.e. day habilitation).

#### EFSLMP Update

The Subject Matter Expert, Dr. Mank is visiting in the May meeting to assist in his expertise of the Employment First State Leadership Mentoring program. Dan Madrid has been in contact with Dr. Mank to keep him up-to-date with relevant information.

#### Legislative Strategies

There was a brief summary on the Sub-Minimum Wage Analysis draft. There have been additions to the analysis based on the meetings that occurred with Ability Network of Delaware (AND) with information from members of AND in addition to the Director Thomas Cook. It reflects the discussion of more of an understanding of the 14c Certificate and the effects of having it or not having it. Discussion was made to add comments to the draft. **Addendum: Laura recommended having an open comment period at the May 9<sup>th</sup> meeting. Comments could be put in the Appendix or using some other method. This is more of a procedural issue. Dan will add this to the agenda for the May 9<sup>th</sup> meeting to see how we want to move forward. We need to decide how the comments should be incorporated, but Dan like the idea of having a comment period.**

#### Review of Current Data

None

EFOC Annual Report

None

**OTHER BUSINESS**

None

**ANNOUNCEMENTS**

The DHSS Secretary attended Town Hall meeting for a variety of topics one of which is on disabilities. Everyone was encouraged to attend a Town Hall in all counties to advocate for people with disabilities.

**PUBLIC COMMENT**

None

**ADJOURNMENT**

Meeting was adjourned at 11:33 am.

Respectfully submitted,

Amber Rivard  
Administrative Specialist

Employment First/minutes 4-11-17